

## **Drought Response Technical Advisory Committee**

***DRAFT***

### **Meeting Summary**

**March 13, 2003**

**10:00 AM – 3:30 PM**

#### **Attendance:**

##### Drought Response Technical Advisory Committee Members

Art Petrini, County of Henrico; Dave DuGoff, Mid-Atlantic Car Wash Assoc.; Dave Hancock, National Spa and Pool Institute; Donna Johnson, VA Agribusiness Council; Jeri LeMay, VA Green Industry Council; John Haley, VA Golf Course Superintendents Assoc.; Josh Rubinstein, VA Rural Water Assoc.; Larry Land, VACO; Randy Buchanan, VA Sports Turf Managers Assoc.; Richard McDonnell, VA Hospitality and Travel Assoc.; Robert Royall, VA Water Well Assn.; Sheryl Raulston, VA Manufacturers Assn., Wilmer Stoneman, VA Farm Bureau Federation; Chris Adkins, VA Dept. of Health, David Dougherty, US Army Corps of Engineers; Dana Sweet, VA Irrigation Assoc.; William S. Bullard, Commander, Navy Region Mid-Atlantic; Sabrina Martyn, Town of Orange; Mike McEvoy, AWWA/City of Roanoke; Albert Williams, City of Portsmouth; Nancy Howard, VML; Shelton Miles, Roanoke River Landowners Assoc.;

In addition several members of the Virginia Drought Monitoring Task Force attended the meeting including:

Jerry Stenger, State Climatology Office; Perida Giles, VDACS; Keith Lynch, NWS; Terry Wagner, DEQ; Scott Kudlas, DEQ

Guests included:

Brent Waters, Golder Assoc.; David Rosenthal, City of Norfolk; Vernon Land, City of Norfolk

#### **Discussion:**

Terry Wagner of DEQ began the meeting by reviewing the results of the last meeting and what he has done since then. He suggested that today, the group should focus on the following:

- (1) the revised Drought Response Plan and comments;
- (2) the contents of the draft transmittal letter to Deputy Secretary Paylor; and
- (3) the variance procedures.

The participants at the meeting made introductions.

Mr. Wagner moved to a discussion of comments he received on the draft Drought Monitoring Plan from the Virginia Department of Health and the City of Portsmouth. Mr. Wagner discussed how he attempted to address each comment.

A lengthy discussion ensued regarding how localized impacts will be addressed when monitoring may show that an action is not warranted for the entire region. The principal area of discussion centered on how to communicate this condition to the Drought Monitoring Task Force. Ultimately, this kind of situation impacts agriculture the most and a suggestion was made to include a recommendation addressing this issue in the transmittal.

An additional discussion took place on the tendency of local governments to wait on taking action until the state makes a declaration. The Task Force heard about a number of local governments that handle drought situations on a case-by-case basis. These localities do not have an ordinance that stays on the books that describes the actions to be taken during drought conditions. Drought situations are typically handled through short-term ordinances that begin when the locality declares an emergency and sunset when the declaration ends. It was recommended that this may be an issue for the Water Policy Technical Advisory Committee.

This concluded the discussion on the monitoring plan, which was endorsed generally by the group.

Mr. Wagner initiated discussion on the Drought Response Plan by beginning with a review of comments received. He started with a comment on the drought warning responses regarding agricultural withdrawals from state-owned impoundments for emergency livestock watering. Agricultural representatives expressed their desire for a backup for the anticipated role of the Extension Service. After much discussion by various members, a suggestion was made to recommend the development of response plans for these impoundments. Mr. Wagner agreed to review some other changes like the appropriate stage for this action and responsible parties for developing the plans.

Mr. Wagner reviewed several comments regarding pools. He indicated how these were addressed in the revised document. He agreed to make some editorial changes to some of the language as recommended by the committee.

Several other comments were discussed and addressed relating to military vehicle washing, public education, and ground water permits.

There was detailed discussion regarding the proposed prohibition on golf course fairway watering. Golf Course interests wanted some latitude to water fairways from water on site. In addition, certain types of grass on fairways require water. After discussion of the various water sources used to irrigate golf courses and types of grasses used on fairways, Mr. Wagner agreed to discuss the language with Mr. Haley to see if the issue could be resolved.

A discussion of language proposed by Mr. Buchanan followed. This language addressed restrictions for watering athletic fields. Based on the proposal, changes in language and structure were agreed to.

Comments proposed by Henrico County were discussed next. Several changes for consistency were made to address these comments.

The committee broke for lunch.

When the committee reconvened there was a lengthy discussion regarding irrigation and the disproportionate impacts the irrigation industry saw during the last drought. The industry representative proposed allowing lawn irrigation under certain circumstances. After significant discussion, there was general agreement that 60 days were required to establish grass on a newly seeded or sodded site and an exception was crafted allowing irrigation for these sites. And exception was also retained that allows testing of newly installed or repaired irrigation systems.

There was additional discussion regarding car washes and the impact of a 10 % reduction in total use as compared to requiring 45% recycled water use. The industry representative requested recycling in lieu of the 10% reduction and distributed copies of several industry reports on water usage. Several of the water authorities suggested that a percentage of reclaim usage was not useful for them to measure. The general consensus was that commercial car washes could remain open during the emergency stage if the facility recycled some of the water used in the wash cycle, or reduced water usage by 10%. Mr. Wagner said he would address the matter in the revised response plan.

The next comment focussed on the nature of ground water rights. After a detailed discussion of background, applicable law, and the advice of the Attorney General's Office, it was agreed that this issue may be more appropriate for the Water Policy Technical Advisory Committee.

Discussion of the revised Drought Response Plan concluded with three recommendations. The committee asked that Mr. Wagner revisit the language on overweight vehicle exemptions, agricultural drought disaster declarations, and certification of businesses that reduce water consumption.

Mr. Wagner moved on to a discussion of recommendations for inclusion in the transmittal letter. The following was suggested:

- (1) expanding the state's precipitation monitoring capacity;
- (2) increasing the coverage of ground water monitoring, preferably in real time capability;
- (3) increasing water supplies in areas where it's needed;
- (4) providing an opportunity for public reaction on the contents of the plan;
- (5) requesting that drought contingency plans be required for water suppliers above a certain threshold;

- (6) establishing a certification program for businesses that permanently reduce water consumption;
- (7) proposing that the Soil and Water Conservation Service be added to the membership of the Drought Monitoring Task Force;
- (8) addressing the need for drought contingency plans at state owned impoundments;
- (9) providing grants to localities for public education.

There was significant discussion on the need for public comment. There appeared to be strong feelings both ways on the issue. Mr. Wagner concluded the discussion by stating that this was simply a recommendation that the Deputy Secretary consider providing some opportunity for public reaction. The committee also suggested that the plan should be distributed to all localities.

There was also some discussion from the water supply representatives about the need for state mandated drought contingency plans. Mr. McEvoy indicated that he would poll the AWWA membership on this issue and get back with Mr. Wagner.

This concluded the discussion on the contents of the transmittal.

The final order of business was the discussion of variances. Mr. Wagner reviewed the state's philosophy that broad categorical variances with local discretion to grant hardship variances was the preferred approach. He asked that members provide feedback to him on this subject.

Mr. Wagner requested that this information be provided to him as soon as possible so that he can revise the proposal for the next meeting. Meeting adjourned.

Send any comments regarding this draft meeting summary to [swkudlas@deq.state.va.us](mailto:swkudlas@deq.state.va.us) no later than COB on March 24, 2003. The next meeting will be held on March 27, 2003 at 10 AM in DEQ's Piedmont Regional Office. Directions to PRO can be obtained at <http://www.deq.state.va.us/regions/piedmont.html>.